

**Minutes of the fifty eighth meeting of the Board of Trustees of
the Open Spaces Society held at 18.00 on Thursday 18 March 2021
by videoconference**

PRESENT Phil Wadey (chairman)
Stuart Bain
Graham Bathe
Chris Beney
John Hall
Simon Hunt
Tara-Jane Sutcliffe
Steve Warr

IN ATTENDANCE Kate Ashbrook (general secretary)

DECLARATIONS OF INTEREST

54/21 There were no declarations of interest.

ANNOUNCEMENTS

Ronald Smith

55/21 It was noted with sadness that our vice-president and former treasurer Ronald Smith had died aged 97. The general secretary was attending his funeral on 30 March.

Tim Crowther

56/21 It was noted with sadness that our former chairman and trustee Tim Crowther had suffered a stroke three weeks ago. The trustees sent him their best wishes.

Rights-of-way case officer

57/21 It was noted with regret that we had not made an appointment from the applicants of last year, and had readvertised the post. The general secretary thanked John Hall for his help with interviewing candidates.

Blackbushe court of appeal hearing

58/21 It was noted with pleasure that the court of appeal had upheld the high court judgment in the case of Yateley Common, Hampshire, in which we had intervened

in support of Hampshire County Council against Blackbushe Airport Ltd which was wanting to deregister the common. The case was about the definition of 'curtilage'.

MINUTES OF MEETINGS ON 17 FEBRUARY 2021 AND 11 MARCH 2021

- 59/21 The minutes of the meetings on 17 February and 11 March were approved, and it was agreed to publish the former on the website.

MINUTES OF LEGAL COMMITTEE MEETING ON 9 MARCH 2021

- 60/21 The trustees noted the minutes.

FINANCIAL MATTERS

Management report to 31 December 2020, reserves spreadsheet and treasurer' commentary

- 61/21 The treasurer spoke to his commentary on the reports. The available cash position at the end of December continued to be healthy. The Charifund investments had recovered value in the fourth quarter by £100k to finish £172k down on the year. We had received £192k in legacies in the year, and were discussing with the independent examiner whether to incorporate a further £40k of an expected legacy in the 2020 accounts: the treasurer preferred to hold it over to 2021. We had recalculated the 48-month rolling operating costs at the year end at £727,847, down from £950,000 because we had spent some of the money for which we had made provision. On income and expenditure our subscriptions had remained above budget for three quarters in a row with membership increasing, and income was also up. On legal costs, £20k was allocated to Blackbushe and £24k to Rollright in the high court, with Rollright court of appeal costs appearing in 2021.
- 62/21 With regard to the reserve for commons and paths applications, we had agreed in January (minute 12/21) that the reserve should come from the Candy Fund. The treasurer wished to amend this since the Candy Fund was restricted and therefore we should not be moving money out of that fund into the unrestricted general fund. To avoid any confusion in future we should keep the application reserve as unrestricted. The expenses for applications could be charged to the Candy Fund and then the sum would be released from the application reserve into the general fund.
- 63/21 The trustees agreed to reverse their previous decision and resolved that the applications reserve should not be taken from the Candy Fund.

Topic for spring appeal

- 64/21 The trustees agreed that we should have a spring appeal and would send any ideas for topics to the general secretary.

Payment for representation at public inquiry in Durham

- 65/21 The trustees approved the payment of up to £2,500 on fees and expenses for Alan Kind, a solicitor based in Newcastle, who is acting for us at the public inquiry into the exchange of common land at The Sands in Durham City, under section 16 of the Commons Act 2006, to which we are objecting. The City of Durham Parish Council, a member of the society, is also an objector.

Additional payment for writing *Our Common Land*

- 66/21 It was noted that the general secretary had authorised additional payment of up to £850 to the case officer, Hugh Craddock, for his additional time in rewriting chapter 2 of *Our Common Land*, seventh edition. The money was in the budget because of the saving from the delay in appointment of the rights-of-way case officer.

NOTE OF STRATEGIC AWAY DAY WORKING PARTY MEETING ON 16 FEBRUARY 2021 AND PAPER FROM SUBGROUP

- 67/21 Tara-Jane Sutcliffe presented the paper from the subgroup of the strategic away day working party in which it was suggested that we determine the extent to which we wish to modify the current strategic plan, and also that we carry out a counterfactual exercise of considering what we might be if we were not a membership organisation but a movement.
- 68/21 After some discussion it was agreed to reconvene the strategic away day working party to consider next steps.

BOARD SUCCESSION: SKILLS AUDIT

- 69/21 The trustees considered the results of the board skills audit in which members commented on the overall skills of the board and endeavoured to identify gaps in knowledge and skills. It was noted that the board did not necessarily need all the skills listed, provided they were available within the organisation. It was further noted that trustees were not there to do the job of staff but needed to be a critical friend and to evaluate the work that was done. Moreover, trustees had not had an opportunity to get to know each other and to understand each other's skills and interests, particularly in these times of remote meetings.
- 70/21 It was considered that the main gaps, or training needs, were in relation to strategic planning, fundraising, marketing, and monitoring and evaluation. The question was whether gaps should be filled by training or recruitment, and what were the priorities.
- 71/21 Because of the lack of time to discuss this at this meeting, the chairman undertook to produce a paper for the next meeting.

REVISION OF ARTICLES OF ASSOCIATION

- 72/21 Chris Beney and Phil Wadey had prepared a paper setting out the proposed revisions to the articles to make explicit provision for electronic communication for meetings, including the AGM. They also wished to make some tidying-up amendments.
- 73/21 Graham Bathe thanked Chris and Phil for their work on this and suggested that the changes should be phrased to enable us to apply them flexibly in the future, if further exceptional events occur. In addition, some of the wording was extremely torturous, and he made a plea for plain English.

- 74/21 Phil said that he and Chris would produce a further paper which might include modifications to the phraseology, and which could be signed off by email. The intention was that the changes should be presented to the AGM this year.

LOCAL CORRESPONDENTS

Appointments

- 75/21 It was agreed to appoint Stephen Hill for Kirklees and Robert Martin for Kettering Borough in Northamptonshire for one year in the first instance.

Reappointments

- 76/21 It was agreed to reappoint Mike Clarke (Bedford Borough) for a further three years.

Reports

- 77/21 The correspondents' reports had been circulated to the trustees, and Chris Beney and John Hall had collated comments. The trustees thanked Chris and John for their work.

PROFESSIONAL INDEMNITY INSURANCE

- 78/21 The trustees were not aware of any new claims or circumstances or problems which may give rise to a claim.

MATTERS ARISING FROM PREVIOUS MINUTES

- 79/21 **221/20 Concerns about incremental increase in legal costs and how to avoid in future**

The chairman said he would produce a note after the session on judicial review, to be run by Hugh Craddock and Nicola Hodgson on 24 March.

REVIEW OF THE MEETING

- 80/21 Members had found the meeting satisfactory.

DATE OF NEXT MEETING

Thurs 15 April 2021 at 6pm.

The meeting ended at 19.08.



Phil Wadey
Chair of Trustees